ORDER REGEIVED FOR FILING
Date U/U/U/

IN RE: PETITION FOR VARIANCE

NW/Corner Baltimore National Pike and

Rolling Road

(6300 Baltimore National Pike)

1st Election District

1st Council District

Triantfilos Korologos

Petitioner

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 02-396-A

ж

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Triantfilos Korologos. The Petitioner seeks relief from Section 238.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit front yard setbacks of 30 feet and 42 feet in lieu of the required 50 feet each, for a proposed addition. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Triantfilos Korologos, property owner, and Steven K. Broyles, the Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a corner lot located at the intersection of Baltimore National Pike (Maryland Route 40) and Rolling Road in Catonsville. The property contains a gross area of 1.679 acres, more or less, zoned B.R.-A.S. and is improved with a well-known restaurant known as the Double T Diner, which has existed at this location for many years. In addition to the one-story restaurant building, there is a large parking area. The property was the subject of prior Case No. 01-138-A in which the undersigned Zoning Commissioner granted variance relief on November 21, 2000 to permit the enclosure of a vestibule to provide an interior waiting area. The Petitioner now comes before me seeking relief to construct a 297 sq.ft. addition on the southwest corner of the building to provide more interior space and to

ORDER RECEIVED FOR FILING
Date 0/0/12

"square off" the building. It is to be particularly noted that no parking variance is needed in that the existing parking lot will accommodate up to 158 vehicles, 4 more than the 154 required by Section 409 of the B.C.Z.R.

The property is unique by virtue of its location and configuration. Mr. Broyles noted that the State Highway Administration (SHA) had acquired right-of-way from the Petitioner to improve Baltimore National Pike and the Petitioner has had to lease back from the State certain portions of the right-of-way that are utilized for the parking lot. In any event, as a result of that conveyance, the proposed addition will be located 42 feet from the front property line on the south side and 30 feet on the southeast side. It is to be noted that there is a sufficient area for maneuvering and parking between the proposed addition and the end of the parking lot.

Persuasive testimony was presented that the property is unique and that practical difficulty will result if relief is denied. Moreover, I find that there will be no adverse impact to the surrounding locale. In sum, I am persuaded that the Petitioner has met the requirements set forth in Section 307 of the B.C.Z.R. It is also to be noted that no one appeared in opposition to the request and there were no adverse Zoning Advisory Committee (ZAC) comments submitted by any Baltimore County reviewing agency. Certain restrictions related to landscaping were entered in prior Case No. 01-138-A and those restrictions remain in full force and effect.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 2002 that the Petition for Variance seeking relief from Section 238.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit front yard setbacks of 30 feet and 42 feet in lieu of the required 50 feet, for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and

this Order is reversed, the relief granted herein shall be rescinded.

2) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued in prior Case No. 01-138-A on November 21, 2000 shall remain in full force and effect.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



June 11, 2002

Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

Mr. Triantfilos Korologos 6300 Baltimore National Pike Catonsville, Maryland 21228

RE: PETITION FOR VARIANCE

NW/Corner Baltimore National Pike & Rolling Road

(6300 Baltimore National Pike)

1st Election District – 1st Council District

Triantfilos Korologos - Petitioner

Case No. 02-396-A

Dear Mr. Korologos:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Steve Broyles

2022 Brown Road, Finksburg, Md. 21048

People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

BCZR 238.1 To allow a 30' and 42' front yard set back in lieu of the required 50' front yard set back

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The site has a technical difficulty in the irregular shape and the proximity of the SHA right-of-way for Md. Route 40 and Rolling road. The existing front yard set back for the smoking

area is 46' and the owner is desirous to add 297 sf. to the existing lounge and bring said lounge even with the front of the front of the existing diner creating a front yard setback of 30'. The site also has a hardship in the fact that SHA has condemned road frontage on the intersection of Md. Route 40 and Rolling Rd. after the restaurant was built causing 24 parking spaces to now be in SHA right-of-way.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Contract Purchas	Contract Purchaser/Lessee:			<u>Legalpovinkas</u> jogos		
Name - Type or Print			Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	
Signature			Triantfilos Korok	ogos	<u> </u>	
Address		Telephone No.	Name - Type or Print	um		
City	State	Zip Code	6300 Baltimore	National Pike 4	<u> 110-744</u>	
Attorney For Petis	ioner:		Catonsville,	Md.	2° Tek	
Name - Type or Print		······································	City	State	·-·	
Signature	····		Representative Brown	sCofitacted: o∨८ಆ≾		
Company Address			Name 2022 Brown Ros	•	10-747-	
Address C City		Telephone No.	Address Finksburg	Md	2° Telep	
	State	Zip Code	City	State	***************************************	
RES				E USE ONLY	.	
Se No. 02	-396-A		ESTIMATED LENGTH OF HEARING			
OHDER HELDER See No. Date PRINTERS			UNAVAILABLE FOR HEARING Reviewed By Date 378			
OHD)						

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

gos

	31816	Zip Code			
City	State	7:-0-1			
Address	MU .	Telephone No			
Finksburg	Md	21048			
2022 Brown Re	oad	410-747-5500			
Repr esentative to	besCofitacted へoγι∉s	L			
City	State	Zip Code			
		Telephone No.			
Catonsville,	Md.	21228			
Signature 6300 Baltimore	National Pike	410-744-4151			
Name - Type or Print					
_ TOM 4	Kun-	<u> </u>			
Signature	ologos 7				
Name - Type or Print Triantfilos Korologos					

OFFICE	MORE COUNTY, MARYLAND OF BUDGET & FINANCE ELLANEOUS RECEIPT OZ -396 - A
DATE	3-18 02 ACCOUNT 01-006-6150
	AMOUNT \$ 250.
RECEIVED	John Koralogos
FOR:	Commercial Variance Aling fee 8300 Bultinore National Pike
·	8300 Eultino e National Pike
DISTRIBUT	TON ACCUSED DINK ACCION VELLOW CIRCOMER

PUSINESS TIME 6/19/2002 3/18/2002 14:44:50 REG WSOS WALKIN RBOS LRB DRAWER

>RECEIPT # 257296 3/19/2002

Dept: 5 528 ZONING VERIFICATION

CR WO. 007750

Recent Tot \$250.00 .00 CA

250.00 CK .00 Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-396-A
6300 Baltimore National Pike
NW/corner Baltimore
National Pike & Rolling Road
1st Election District
st Councilimanic District
Legal Owner(s): Tom Korologos
Variance: to allow a 30 feet
and 42 feet front yard setback in lieu of the required
50 feet front yard setback.
Hearling: Thursday, May
23, 2002 at 9:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/128 May 9

C536970

CERTIFICATE OF PUBLICATION

59,2002
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on <u>.5 9 </u> ,20 <u>02</u> .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

RTIFICATE OF POSTING

RE: Case No.: _ Politioner/Developer: DOUBLE T-ETAL

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: .

GEORGE ZAHNER

4 Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at \$6300 - BALTIMOPE NATIONAL

The sign(s) were posted on

Sincerely,

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

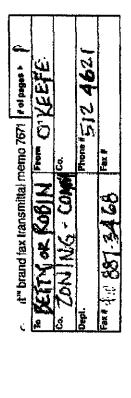
(Address)

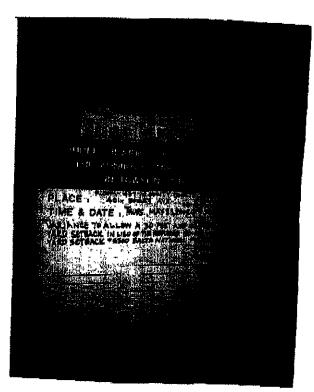
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

(Telephone Number)





DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-396-2
Petitioner:
Address or Location: 6300 BACTO. NAT PIECE
PLEASE FORWARD ADVERTISING BILL TO: Name: FONNIS KOROLOGOS
Address: 6300 BALTO. NATIONAL PIRE
CATONS VILLE, MD. 21228
Telephone Number: 4:0 - 747- 4:51

TO: PATUXENT PUBLISHING COMPANY

Thursday, May 9, 2002 Issue - Jeffersonian

Please forward billing to:

Ionnis Korologos 6300 Baltimore National Pike

Catonsville MD 21228

410 747-4151

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-396-A
6300 Baltimore National Pike
NW/corner Baltimore National Pike & Rolling Road
1st Election District – 1st Councilmanic District
Legal Owner: Tom Korologos

<u>Variance</u> to allow a 30 feet and 42 feet front yard setback in lieu of the required 50 feet front yard setback.

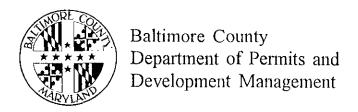
HEARING: Thursday, May 23, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

April 9, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-396-A
6300 Baltimore National Pike
NW/corner Baltimore National Pike & Rolling Road
1st Election District – 1st Councilmanic District
Legal Owner: Tom Korologos

<u>Variance</u> to allow a 30 feet and 42 feet front yard setback in lieu of the required 50 feet front yard setback.

HEARING: Thursday, May 23, 2002 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon らうて Director

C: Tom Korologos, 6300 Baltimore National Pike, Catonsville 21228 Steve Broyles, 2022 Brown Road, Finksburg 21048

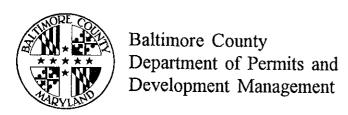
NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 8, 2002.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 17, 2002

Triantfilos Korlogos 6300 Baltimore National Pike Castonsville, MD 21228

Dear Mr. Korologos:

RE: Case Number:02-396-A, 6300 Baltimore National Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 3/18/02.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:rjc

Enclosures

c:

Steve Broyles 2022 Brown Rd. Finksburg, MD 21048 People's Counsel





Office of the Fire Marshal

Towson, Maryland 21286-5500

700 East Joppa Road

410-887-4880

Baltimore County Fire Department

Development Management (PDM)

County Office Building, Room 111

Mail Stop #1105

111 West Chesapeake Avenue

ATTENTION: George Zahner

Towson, Maryland 21204

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 25,2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

378, 381, 383, 386-389, 391-394, (396) 400

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

COUNTY REVIEW GROUP MEETING (PRIVATE)

County Review Group comments



TO:

Arnold Jablon

FROM:

R. Bruce Seeley 295 1767

DATE:

April 30, 2002

Zoning Advisory Committee Meeting of March 25, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

378, 379, 380, 383, 384, 385, 386, 387, 389, 390, 392, 395, (396, 397, 399

f3/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

DATE: March 29, 2002

MAR 29 class

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-389, and 02-396

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration



Parris N. Glendening Governor John D. Porcari

Secretary
Parker F. Williams

Administrator

Date: 3.26.02

Mr. George Zahner Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County

Item No. 396

115

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 4.0. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

P. J. Shell

RE:	PETITION FORVARIANCE
6300 B	altimore National Pike, NW cor
Balto. 1	Nat'l Pike and Rolling Rd
1st Ele	ction District, 1st Councilmanic

Legal Owner: Triantfilos Korologos Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-396-A

* * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

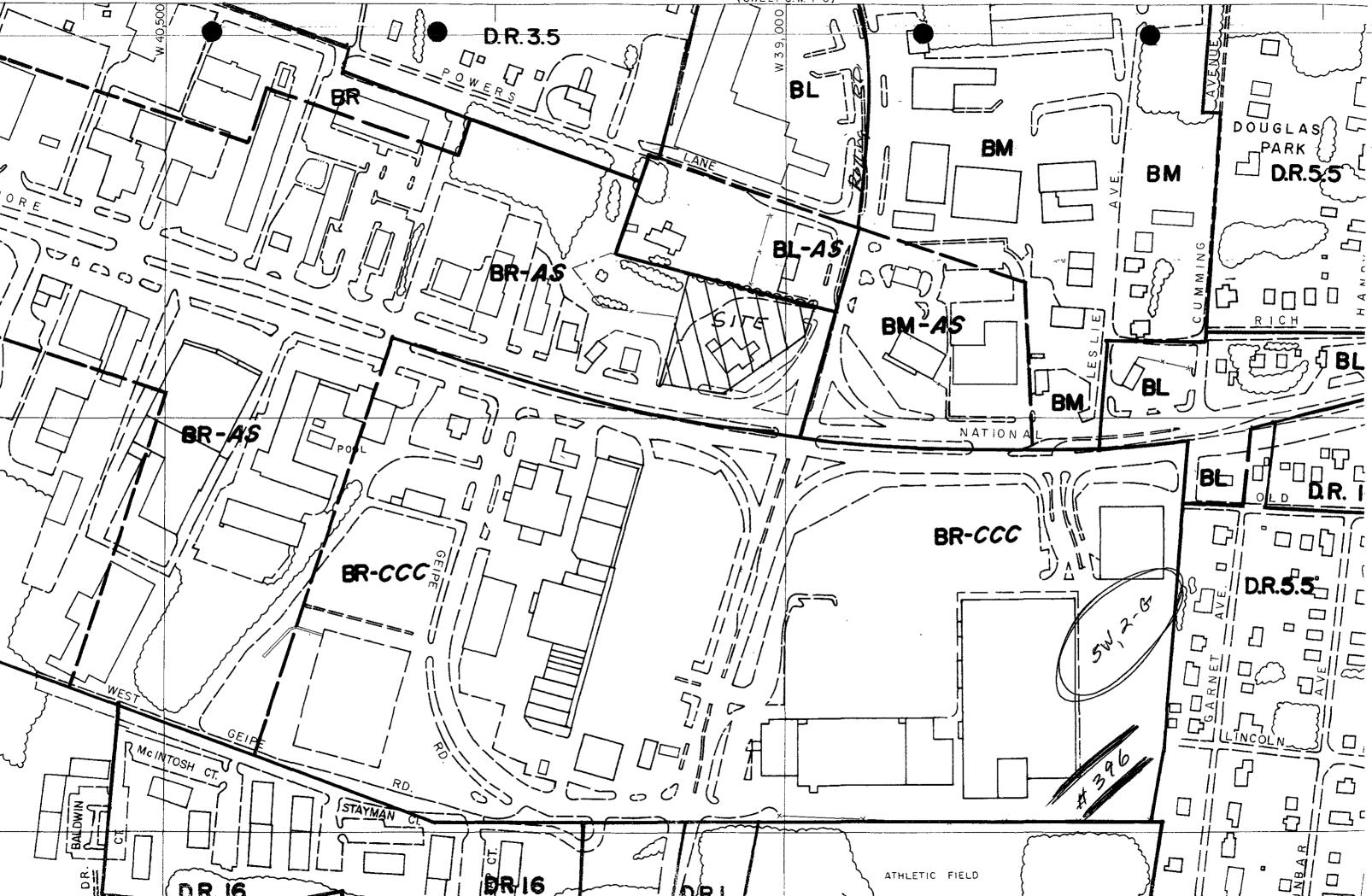
CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

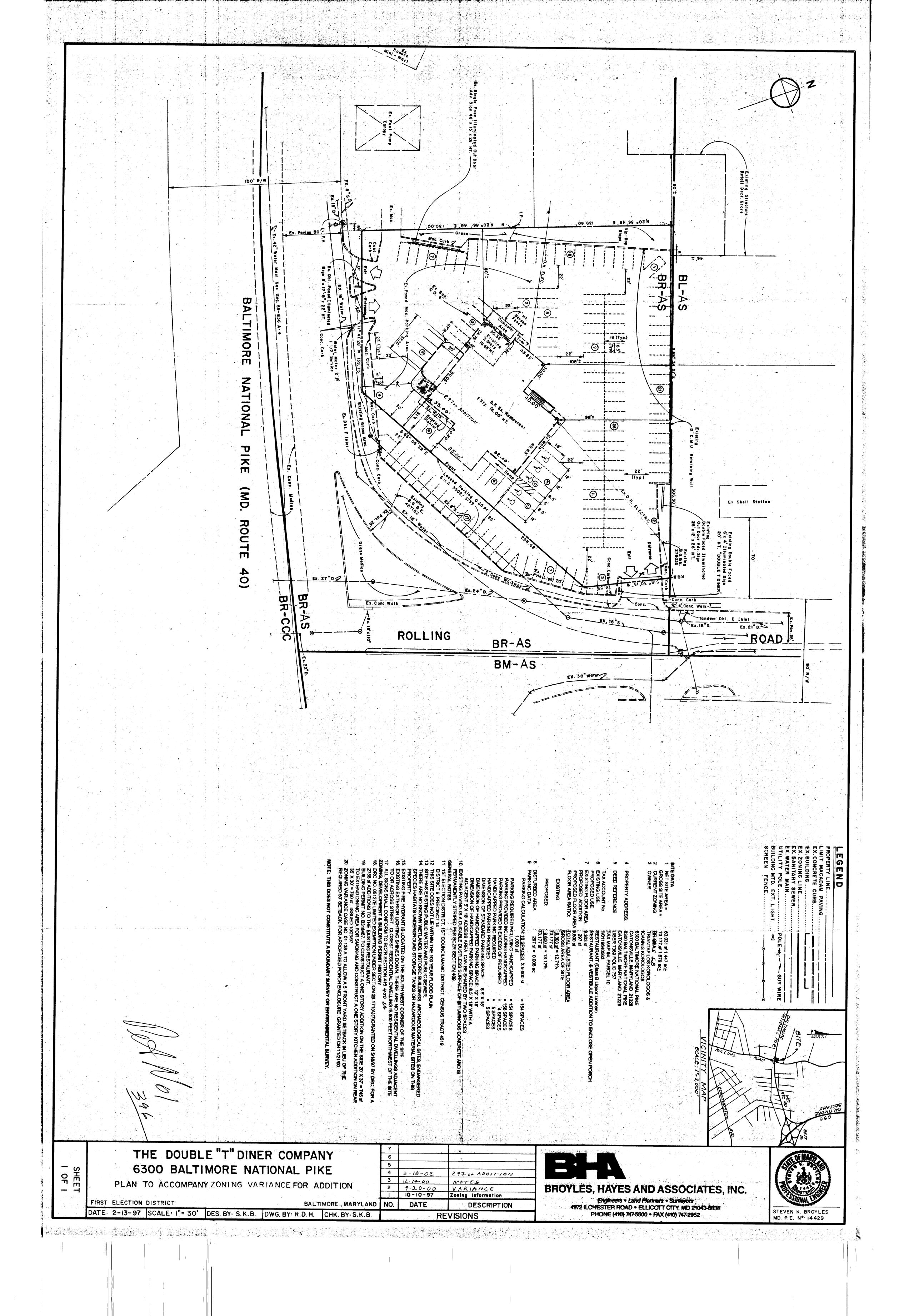
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Steven K. Broyles, 2022 Brown Road, Finksburg, MD 21048, representative for Petitioners.

PETER MAX ZIMMERMAN







ENGINEERS - LAND PLANNERS - SURVEYORS 2022 Brown Road - Finksburg, Maryland 21048 Phone 410-747-5500 - Fax 410-747-2952

ZONING DESCRIPTION OF 6300 BALTIMORE NATIONAL PIKE DOUBLE T DINER

March 18, 2002

BEGINNING for the same at the north west corner of the west edge of the 90' wide right-of-way of Rolling Road and the north edge of the 150'wide right-of-way of Maryland Route 40 thence running and binding with the aforesaid west right-of-way of Rolling Road and Maryland Route 40:

- 1. South 15 degrees 30 minutes 15 seconds West 74.53 feet, thence
- 2. South 63 degrees 08 minutes 39 seconds East 258.68 feet, thence
- North 71 degrees 41 minutes 28 seconds West 139.75 feet, thence leaving said Maryland Route 40 right-of-way
- 4. North 20 degrees 56 minutes 48 seconds East 130.00 feet, thence
- South 69 degrees 34 minutes 27 seconds East 306.30 to the point of beginning containing 1.447acres more of less as recorded in the Land records of Baltimore County in Deed Liber 7369, folio 757



#396